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Notice of Allowability	Application No.	Applicant(s)	
	10/672,036	AMES ET AL.	
	Examiner	Art Unit	
	Amy B. Vanatta	3765	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to filing of 9/26/03.
2. ☒ The allowed claim(s) is/are 1-12.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|---|
| <ol style="list-style-type: none"> 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) 3. <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date <u>011504, 092304</u> 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | <ol style="list-style-type: none"> 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance 9. <input type="checkbox"/> Other _____. |
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EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

The application has been amended as follows:

In claims 4 and 10, line 2, before "vertical plane" has been inserted -- the --.

2. The above change has been made in order to correct a clear typographical error.

Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: Claim 1 and the claims dependent thereon are allowable since the prior art of record do not disclose a method for making an absorbent composite from continuous tow including steps of introducing a crimped tow from a bale, spreading the crimped tow, de-registering the crimped tow, shaping the de-registered tow, and distributing a particulate onto the shaped tow wherein the tow's travel through the de-registering, shaping, and distributing defines a vertical plane, and the bale is located off this vertical plane. Claim 7 and the

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claims dependent thereon are allowable since the prior art of record do not disclose an apparatus for making an absorbent composite from continuous tow including means for introducing a crimped tow from a bale, means for spreading the crimped tow, means for de-registering the crimped tow, means for shaping the de-registered tow, and means for distributing a particulate onto the shaped tow, wherein the tow's travel through the de-registering, shaping, and distributing defines a vertical plane, and the bale is located off this vertical plane. More specifically, the prior art of record do not disclose the bale as being located off the vertical plane that is defined by the de-registering, shaping, and distributing. The closest prior art is US 3,095,632 to Smith (see also 3,016,581 to Smith, of which the '632 patent is a divisional). Smith discloses a method and apparatus for processing crimped tow, including spreading the tow by spreading means 16, de-registering the tow by use of rollers (19, 21, 22, 23, 26,27), and shaping the tow by means of trumpet 37. The tow is de-registered between the second (22,23) and third (26,27) pairs of rollers, the de-registering being facilitated due to the angular relationship between the third pair of rollers (26,27) and the second pair of rollers (22,23) as shown in Fig. 2. Thus, the travel of the tow through the means for de-registering and shaping does not define a vertical plane, since the de-registering roller pair 22,23 is angularly offset from roller pair 26,27. As seen in Fig. 2, both the bale and a portion of the de-registering rollers are offset from the last pair of de-registering rollers and from the shaping trumpet.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably


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accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Amy B. Vanatta whose telephone number is 571-272-4995. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Calvert can be reached on 571-272-4983. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Amy B Vanatta
Primary Examiner
Art Unit 3765